

**FILED**

MAR 28 2008

MOLLY DWYER, ACTING CLERK  
U.S. COURT OF APPEALS

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

RICK P. SMITH,

Plaintiff - Appellant

v.

J. SILVA, #68223; HUTTON, #70473; A.  
PERRY, #71794; W. ENGELSTAD,  
#64889; BEHRMANN, #70587;  
FOREMAN, #68550,

Defendants - Appellees

No. 07-17296

D.C. No. CV-07-04437-WHA

**MANDATE**

The judgment of this Court, entered 2/15/08, takes effect this date.

This constitutes the formal mandate of this Court issued pursuant to Rule 41(a) of the Federal Rules of Appellate Procedure.

FOR THE COURT:

Molly Dwyer  
Clerk of Court

  
By: Lee-Ann Collins  
Deputy Clerk